

STATE OF INDIANA



INDIANAPOLIS

STATE BOARD OF HEALTH
AN EQUAL OPPORTUNITY EMPLOYER

Address Reply to:
Indiana State Board of Health
1330 West Michigan Street
P. O. Box 1964
Indianapolis, IN 46206-1964

September 24, 1985

VIA CERTIFIED MAIL

Mr. James Tarpo
American Chemical Service
P.O. Box 190
Griffith, IN 46319

Dear Mr. Tarpo:

Re: RCRA G/TSD Inspection
American Chemical Service
IND 016360265
Notice of Violation (V-205)

The Environmental Management Board is cooperating with the U.S. Environmental Protection Agency, Region V, in carrying out the provisions of the Resource Conservation and Recovery Act, Public Law 94-580 (RCRA). In this effort, representatives of the Environmental Management Board are conducting inspections of facilities in Indiana that are engaged in the generation, transportation, treatment, storage, or disposal of hazardous waste. In addition to RCRA requirements, facilities are being inspected to determine compliance with Environmental Management Board 320 IAC 4, "Hazardous Waste Management Permit Program and Related Hazardous Waste Management Requirements."

This is to inform you that on May 28, 1985, an inspection of American Chemical Service, located at Colfax Avenue and the C & O Railroad, Griffith, Indiana, was conducted by Mr. Ted F. Warner of the Division of Land Pollution Control (Division), Indiana State Board of Health. You represented your firm at this inspection.

In regard to the Chem-Fuel, Product 312, it is the position of this office that a mixture of fuel and a listed hazardous waste is itself a hazardous waste, and must be managed as such. The actual recovery of the waste does not occur until it is burned. Enclosed please find a memo dated June 13, 1985.

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U.S. EPA, REGION V
WASTE MANAGEMENT DIVISION
HAZARDOUS WASTE ENFORCEMENT BRANCH

The following violation of RCRA and 320 IAC 4 pertaining to the operation of your facility was noted:

- | | |
|------------------|---|
| 1. 40 CFR 262.30 | Generator is not in compliance with the |
| and | manifest requirements. |
| 320 IAC 4-4 | |

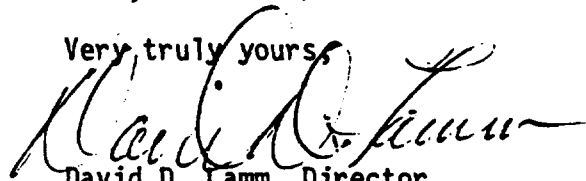
American Chemical Service, within thirty (30) calendar days of receipt of this letter, shall achieve compliance with the following requirement:

1. Chem-Fuel containing listed hazardous wastes must be manifested to a facility with a 320 IAC Rule 9 operating permit.

Your Company shall submit to this office, within thirty-five (35) calendar days of receipt of this letter, a written detailed explanation of the steps taken to achieve compliance. The letter shall state the date compliance was achieved. Failure to comply with this Notice of Violation will result in escalation of this enforcement action.

Please direct your response to this letter and any questions to Mr. Michael E. Sickels, R.P.S., of the Division of Land Pollution Control, Indiana State Board of Health, at AC 317/243-5047.

Very truly yours,



David D. Lamm, Director
Division of Land Pollution Control

MES/tr

Enclosure

cc: Lake County Health Department

Ms. Sally K. Swanson, U.S. EPA, Region V

Mr. Ted Warner

Mr. Carl Broman, LTV Steel

Mr. Michael Benoit, Cadence Chemical Resources, Inc.